



State of Arizona

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Governor Jan Brewer Lauds Decision to Petition U.S. Supreme Court Regarding ObamaCare

Coalition of 26 States File Petition for Writ of Certiorari with U.S. Supreme Court

PHOENIX – Governor Jan Brewer announced today that Arizona and a coalition of 26 states fighting ObamaCare have filed a Petition for Writ of Certiorari with the U.S. Supreme Court. This filing appeals the 11th Circuit Court's decision that upheld the constitutionality of the Affordable Care Act, better known as ObamaCare, minus the individual mandate provision.

The coalition of states, led by Attorney Paul Clement, asserts that the 11th Circuit Court was correct in finding unconstitutional the ObamaCare requirement that virtually every American purchase health insurance. But the court erred in allowing other unconstitutional provisions to stand, including the expansion of burdensome Medicaid regulations upon states like Arizona.

"As a champion of states' rights, I applaud the decision to appeal directly to the United States Supreme Court at this critical juncture," said Governor Brewer. "ObamaCare represents a fiscal and regulatory nightmare for states like Arizona that are already dealing with an ongoing budget crisis.

"The sooner this case can be heard by the nation's highest court, the better for state budgets and personal freedom."

Today's petition filed by the states challenges three of the Affordable Care Act's core provisions: **its significant Medicaid expansion**, which Congress has forced upon the States by threatening to withhold billions in federal funding unless States comply; **the employer mandate**, which imposes harsh penalties upon States that do not offer their employees a federally-mandated level of insurance; **and the individual mandate**, which requires nearly all citizens to maintain health care insurance or pay a penalty to the federal government. The states maintain that the entire Act cannot stand without the lynchpin of Obamacare – the individual mandate.

The issues in this case go to the heart of the country's system of government and the Constitution's division of authority between the states' inherent powers and the limited, enumerated authority granted to the federal government. Involving over half the states in the nation, this case represents an unprecedented legal challenge coordinated amongst the states against an unprecedented federal legislative initiative.

“Arizona has a long and proud history of fighting the federal government when its overreaching and unconstitutional policies trample the rights of states and individuals,” said Governor Brewer. “I look forward to the Court’s acceptance of this case, and a ruling that ObamaCare in its entirety is unconstitutional. The sovereignty of states and individuals is at stake.”

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